

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

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CRAIG DAVIS, as parent and
natural guardian of
ANDREW DAVIS,
Plaintiff,

vs.

CATAMOUNT DEVELOPMENT CORP.,
CATAMOUNT DEVELOPMENT CORP.
d/b/a CATAMOUNT SKI AREA,
Defendants.

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CIVIL ACTION
No. 05-30011-MAP

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AFFIDAVIT OF CHARLES GARDNER

I, Charles Gardner, do depose and state the following:

1. I have personal knowledge of the facts stated in this affidavit.
2. I am the head of the ski patrol at Catamount Ski Area.
3. Catamount does not take photographs of every accident scene.
4. Catamount does not take photographs of every accident scene involving children.
5. Catamount does not take photographs of every accident scene involving collisions with objects.
6. On January 25, 2004, I responded to an accident involving Andrew Davis.
7. Andrew Davis' father, Craig Davis, accompanied Andrew to the patrol room.
8. Craig Davis appeared to be in an upset state about the accident in the patrol room.

9. After the Davis' left the patrol room, I went to the accident scene and took photographs of the accident scene.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 30th DAY OF MARCH,
2006:



Charles Gardner
Ski Patrol Director
Cataamount Ski Area